

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 27, 2003

D041524 In re Cache L., a Juvenile

The order appeal from, January 9, 2003, is not appealable, (Code of Civil Procedures, sections 904.1, 170.3(d).) The case is dismissed.

D035990 People v. Mullen

The judgment is affirmed. Nares, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

D038889 Vasquez v. State of California et al.

The judgment is reversed. Vasquez is awarded costs on appeal. CERTIFIED FOR PUBLICATION. McConnell, J.; We Concur: Benke, Acting P.J., Nares, J.

D041432 In re Jimenez on Habeas Corpus

The petition is denied.

D041260 In re Consiglio on Habeas Corpus

The petition is denied.

D041229 In re Mora on Habeas Corpus

The petition is denied.

D041467 Love v. Superior Court if Imperial County/People

The petition is denied.

D041278 In re Linares on Habeas Corpus

The petition is denied.

D041257 In re Ross on Habeas Corpus

The petition is denied.

D039338 Cardoso v. Cardoso

Upon written stipulation, the appeal is dismissed. Each party to bear own costs on appeal.

In re Enrique Rivera on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 28, 2003

D040316 In re G. T. et al., Minors

The judgment is affirmed. Haller, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

D038674 People v. Porter

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., McConnell, J.

D039551 Genix Biotek, Inc., et al. v. Syntron Bioresearch, Inc., et al./Pratt

The order is affirmed. Syntron is entitled to costs on appeal. Huffman, J.; We Concur: Kremer, P.J., McIntyre, J.

**D040994 Bruce C. v. Superior Court of San Diego County/San Diego County Health and
Human Services Agency**

The petition is denied. McIntyre, J.; We Concur: Kremer, P.J., Haller, J.

D039923 In re Luis Q., a Juvenile

The appeal is dismissed.

D041532 The Columbia House Company v. Superior Court of San Diego County/Phanco

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 29, 2003

D040901 The Retirement Group v. Linsco/Private Ledger Corp. et al.

The petition is denied.

D039930 People v. Shakur

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D039940 People v. Claros

The order reinstating and modifying probation is affirmed but for the requirement that Claros register his gang affiliation with police. The order is modified to eliminate this condition. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D041270 In re Scott on Habeas Corpus

The petition is denied.

D040541 Insouth Bank et al. v. Superior Court of San Diego County/Varner, Saleson & Dobler et al.

Let a writ of mandate issue directing the superior court to vacate its order granting real parties in interest's motion to compel production of documents and answers to deposition questions relating to petitioner's communications with its attorneys, and to enter a new order denying those motions. Petitions are entitled to costs in this writ proceeding. McDonald, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D039087 People v. Davis

The conviction is affirmed. The finding Davis has a strike prior is reversed. The matter is remanded for presentation of evidence on the prior strike issue. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D039347 People v. Pruitt, Jr.

The judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D038823 People v. Raver

The judgment is reversed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D037695 People v. Frediani

The section 1202.45 parole restitution fine is stricken. As so modified, the judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect such modification and to forward a copy of the amended abstract of judgment to the Department of Corrections. Huffman, Acting P.J.; We Concur: O'Rourke, J., McConnell, J.

D040543 Rainshine Resources, Inc., et al. v. Superior Court of San Diego County/Borrego Springs Bank

The alternative writ is vacated. Let a peremptory writ of mandate issue directing the superior court to vacate its order denying as premature the merits of petitioner's petition to vacate the arbitration award and real party in interest's petition to confirm the arbitration award, and directing the court to address the merits of those petitions. The parties shall bear their own costs in this writ proceeding. McDonald, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 29, 2003 (Continued)

D039840 In re Juan G., a Juvenile

The juvenile court's order declaring Juan a ward is affirmed. Kremer, P. J.; We Concur: Benke, J., O'Rourke, J.

D038110 People v. Haygood

The matter is remanded for resentencing; in all other respects the judgment is affirmed. Benke, J.; We Concur: Kremer, P.J., McConnell, J.

D040953 In re Calista G., a Juvenile

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 37(b). The appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 30, 2003

D039472 People v. Steele

The judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D039642 Agabao v. Delta Design, Inc., et al.

The judgment is affirmed. The defendants are awarded costs on appeal. McConnell, J.; We Concur: Huffman, Acting P.J., Nares, J.

D039686 James et al. v. City of Coronado et al.

The judgment is affirmed. The defendants are awarded costs on appeal. McConnell, J.; We Concur: Nares, Acting P.J., O'Rourke, J.

D038316 City of San Diego v. Rancho Penasquitos Partnership et al.

The judgment is affirmed. CERTIFIED FOR PUBLICATION. Nares, J.; We Concur: Benke, Acting P.J., McConnell, J.

D038651 Leeds et al. v. Sheinfeld

The judgment is affirmed. Nares, J.; We Concur: Huffman, Acting P.J., McConnell, J.

D039601 Panther v. Park et al.

D039633 Panther v. Superior Court of San Diego County/Park et al.

Pursuant to the January 15, 2003 order of the California Supreme Court, the opinion filed on August 12, 2002 is vacated and the petition for writ of mandate is dismissed. The appeal is dismissed as moot. The temporary stay previously imposed by this court on March 26, 2002, is vacated.

D039838 Simmons v. City of San Diego et al./Centre City Development Corporation et al./Osborne

The judgment is affirmed. Respondents' motion for sanctions is denied. Each party shall bear its costs on appeal. McDonald, J.; We Concur: Huffman, Acting P.J., McConnell, J.

D039787 Turner v. Superior Court of San Diego County/People

Let a writ issue directing the superior court to vacate its order finding probable cause for the SVPA petition filed on January 24, 2002, and enter a new order dismissing the petition. CERTIFIED FOR PUBLICATION. Haller, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D039477 Porter v. Legoland California, Inc.

The judgment is affirmed. Legoland to recover costs on appeal. Huffman, Acting P.J.; We Concur: O'Rourke, J., McConnell, J.

D038107 People v. Johnson et al.

The petition for rehearing filed January 21, 2003, by appellant Tashion Williams in Case No. D038107 is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 31, 2003

D039431 People v. Gardner

The judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D038926 People v. Hynson

The judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D039757 Manriquez v. Gourley

The judgment is reversed. Appellant is entitled to costs on appeal. CERTIFIED FOR PUBLICATION.
O'Rourke, J.; We Concur: Kremer, P.J., McDonald, J.

D039625 People v. Lopez

Judgment affirmed. McConnell, J.; We Concur: McConnell, J.; We Concur: Benke, Acting P.J.,
O'Rourke, J.